

In The United States District Court  
For The District OF Delaware

Ronald G. Johnson #04431-015  
Movant, F.D.C. Philadelphia, Pennsylvania )  
V. P.O. Box 562 ) Criminal Action No. 05-29-KAJ  
Philadelphia, PA. 19106 )  
United States OF America

" Filing OF Three Motion "

1.) Motion For A Stay OF All Proceeding, Sentencing et al,

In This Case, Until The Court Gives My Petition  
For Writ OF Habeas Corpus A Civil Action  
Number, And Reach The Merits OF My Petition."

And

2.) " Motion For A Stay OF All Proceeding, Till The  
Court Address Defendant's Numerous Motions For  
Reconsideration, And Rule 60(b), That Merits  
Reversal OF Conviction OF This Technical Violation."

And

3.) Motion To Be Released Pending The Court's  
Resolving OF These Motions In Support OF said  
motion Defendant asserts the Following.

Comes Now, The Defendant and Moves this Honorable  
Court For And Stay OF all proceedings, Sentencing et al,

until The Court give my Petition For Writ of Habeas Corpus A Civil Action Number And the merits of my Petition is reached.

Defendant Further Moves the Court For A Stay until the Court address his numerous Motions and Rule 60(b)s filed that Merits a Reversal of Conviction of this Technical Violation "

Defendant Lastly Moves this Honorable Court For his release pending the Court resolving of these Motions and petition. In support thereof petitioner and Movant asserts the following.

#### 4.) " Statement of The Facts "

a) The Defendant has Filed a Petition For Writ of Habeas Corpus pursuant to Title 28 USC 2241(c)(3) brought under the Saving Clause of Title 28 USC 2255. All remedies possible has been exhausted in Convicting and Sentencing district. Therefore this is proper District Court to File said Writ of Habeas Corpus.

#### " Errors of District Court "

b. The District Court has errorously Consolidated my Petition For Writ of Habeas Corpus with this Violation of Probation Hearings. A Writ of Habeas Corpus is a Civil Action Lawsuit and requires it's own Civil Action Number and is a separate Action and a separate Case.

c) My Filed Writ of Habeas Corpus Challenges the legality and Constitutionality of my Continuing Custody of the

United States Probation Office And the United States Attorney's Office and or the United States of America et al.) Therefore no further proceeding should continue till my Petition for Writ of Habeas Corpus is resolved.

### Concluding

d.) The Court Should Order a Stay of all proceedings till the Constitutionality and Legality of my Continual Custody is resolved. Because My Petition for Writ of Habeas Corpus could make further proceedings meritless and moot.]

5)" Reference To Pending Motions And Rule 60(b)s et al.)

Comes Now, The Defendant and Moves the Court for a Stay of All Further proceeding until the Court address Defendant's numerous Motion and Rule 60(b)s et al., File in the Court. The Defendant assert the following in Support

### Statement OF The Facts

The Defendant has Filed numerous Motions that Merits reversal of this Conviction of Violation of Probation. Therefore the Court Should Stay all proceedings till Defendant's Numerous Motion has been addressed.

### 6) Conclusion

The Defendant has already presented to the Court the Fact that he has Maxed-out all possible Sentence for this Technical Violation.

"Certificate of Service And Oath and Affidavit"  
I declare under penalty of perjury. I further Declare that

## Writ of Habeas Corpus

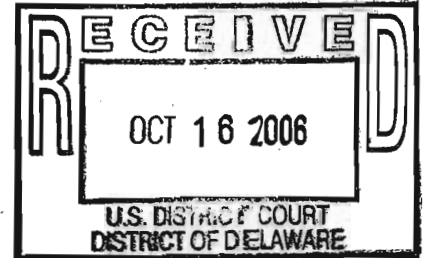
After Release After Serving All Jail Time

- \* \* Carafas v. La Valle (1968) 391 U.S. 234, 20 LEd 2d 554  
88 S. Ct. 1556
- Grundset v. Franzen (1982, CA 7 Ill) 657 F.2d 870
- \* Spencer v. Kemma (1998) 523 U.S. 1 140 LEd 2d 43  
118 S. Ct. 978
- \* Anderson v. Smith (1984) 751 F.2d 96
- [Mc Clain v United States, 205 (1996 ND Ill) 936 F.Supp 505]
- \* [Moi Chong v Dist. Dir. INS (2001 CA 3 NJ) 264 F3d 277]
- Locality is measured at time petition is filed.
- \* Glover v. North Carolina (1969, FD NC) 301 F. Supp 364
- \* Marple v. Monsori (1974, DC Conn 373 F. Supp. 757  
Habeas corpus & Custody
- \* Benson v California (1964, CA 9 Cal) 328
- \* Mc Clain v Bureau of Prisons (1993 CA 6 Tenn) 7 F3d 503
- \* U.S. ex Rel De Rosa v. Superior Court of New Jersey (1974 DC NJ)  
379 F Supp 957
- "Delay In Revocation Hearing"
- \* \* Johnson v Hulley (1975 CA 7 Ind) 528 F2d 116
- \* Creech v United States Bd. of Parole (1976 CA 8 Minn) 538 F.2d 205
- \* Walton v. Wright (1976, WL Wis) 407 F. Supp 723, 424 F. Supp 710
- \* \* Wilcox v U.S. Parole Com. (1993, ND W Va) 810 F. Supp 186  
Must show Prejudice by the delay



" Exhibit - A "

United States Court OF Appeals  
For The Third Circuit  
Civil Division



Ronald G. Johnson #04431-015 )  
Vs. Petitioner )

) Case No. 06 - 3023

United States District Court, For The )  
District OF Delaware, et. al., )

" Amendment "

" Petition For Declaratory Relief and Injunction Relief "  
Pursuant To Title 28 USC 2202 and 28 USC 2201

Comes Now, The Petitioner Ronald G. Johnson and  
Moves and Petition this Honorable Court For Declaratory Relief  
and Injunction Relief in Support thereof Petitioner and Movant  
presents the following.

1.) Relief Sought

a) Petitioner Petitions and Moves this Honorable Court to "Order" a Stay  
and Stop of all proceeding in the District Court, For The District OF Dela-  
ware, until the District Court of Delaware give his petition For Writ  
OF Habeas Corpus, Pursuant to Title 28 USC 2241(c)(3), brought under the  
" Saving Clause " and " Safety Valve " of 2255 a Civil Action Number. And  
the Merits OF his Writ OF Habeas Corpus is reached.

Statement OF The Facts

b) As stated in my Original petition For Writ OF Mandamus against  
District Court. The District Court OF Delaware, Mainly Hon. Judge Jurden  
For Now over Several months has refused to give me a Civil Action

number to my Petition For Writ of Habeas Corpus. A Petition For Writ of Habeas Corpus is a Civil Action Lawsuit having nothing to do with a Criminal Case. The District Court has failed to give me Due Process of the Court to See Writ of Habeas Corpus relief. He has my Petition but Refuses to give a Civil Action Number and to reach the merit of my Petition.

c.) Furthermore there is no reason to Continue Prosecution, and or Sentencing till the question and Constitutionality, Jurisdiction and authority of the Wilmington Delaware Attorney General's Office and United States Probation Office et.al., is resolved.

## 2.) Relief Sought & Statement of Facts

a.) "Order" the District Court Judge Hon. Kent A. Jurden removed From residing and Presiding over my Writ of Habeas Corpus Case. He has been hired by the Judge and U.S. Attorney et. al., of the Western District of Virginia, District Court et.al., to uphold a illegal and UnConstitutional Conviction and sentence. Making him a Confederate of illegality in Violation of United States Congress and the Laws of the land, as set Forth in Title 18 USC 241 and Title 18 USC 242. His devotion and loyalty of his Coconspirators has lead to his disability. How else can his actions be explains. Even ignorance is considered a Disability.

## 3.) Relief Sought

a.) Pittitioner Petitions and Moves this Honorable Court to "Order" Petitioner's immediated release

b.) Or Order the District Court, For The District of Delaware to have a immediate hearing to determine has the defendant and Petitioner has Maxed-out his maximum punishable Sentence For a

"Technical Violation", of being drunk in my bed 12:00 midnight.  
 [Evidence obtained by a illegal search and seizure of State Officer,  
 In Violation of the Constitutional 4th Amendment. And Evidence that  
 Should be Suppressed! Pursuant to the Fruit-Of-The-Poisonous Tree-  
 Doctrine," Because the officer knew I was on Probation and had  
 just gotten out of prison, or should have known this he was just  
 told it before illegally breaking in my home door, by my girlfriend.  
 But the Judge blinds his eyes and claim ignorance to the about  
 grounds to suppress the illegally obtain evidence mainly that I was  
 drunk sleep in my bed 12:00 midnight.]

### Statement of The Facts

a.) A Technical Violation at it worst carries 4-8 months  
 in prison. I have been held for this Violation since May, 2005  
 it is now October 2006, I have now been held 17 months, For  
 a Violation of Probation Technical Violation that carries a worst  
 8 month in prison with good time.

### Conclusion

Due to the District Court's Disability, Ignorance, and or his  
 inability to handle the simple issue of this case I Petition this  
 Honorable to Order his remove and have a new Honorable Judge  
 to preside over my V.O.P. Hearing and my Petition For Writ of  
 Habeas Corpus. Also I move this Honorable Court to Order my  
 Petitioner's immediate release. Or Order the District Court  
 to immediate release me or have a hearing to release me  
 with-out reaching the merit of my V.O.P. Hearing.

" Oath And Affidavit "

I Declare under penalty of perjury that the foregoing is true and correct.

Declared October 4, 2006

Signed Ronald John

Certificate OF Service

I Declare that United State Attorney General's Office was serve , Shannon Tree Hansen , The U.S. District Court For The District of Delaware And the U.S. Probation Office these 4 Agencies and person was serve First Class mail this date October 8 2006

Declare October 8, 2006 , Signed Ronald John



IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

FILED  
CLERK U.S. DISTRICT COURT  
DISTRICT OF DELAWARE  
2006 OCT 23 AM 11:26

UNITED STATES OF AMERICA,

Plaintiff,

v.

RONALD G. JOHNSON,

Defendant.

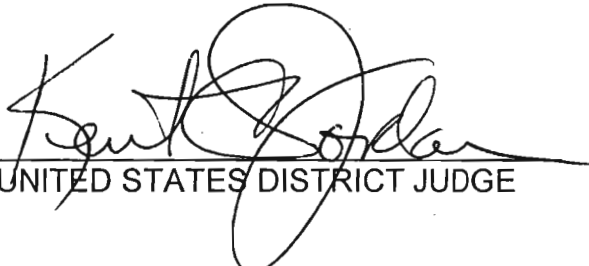
Criminal Action No. 05-29-KAJ

**ORDER**

The defendant having filed a document entitled "Administrative Notice[:] the Defendant Has Maxed-Out and Served Over the Maximum Sentence of this Grade C Technical Violation" (D.I. 59), and the court construing the same as a motion for a sentence of time served and immediate release,

IT IS HEREBY ORDERED that:

1. The United States shall respond to the said motion on or before October 26, 2006,
2. Defendant may file any reply to the response on or before November 1, 2006, and
3. Sentencing is set in this matter for November 3, 2006 at 11:00 a.m.

  
UNITED STATES DISTRICT JUDGE

October 23, 2006  
Wilmington, Delaware

In The United States District Court  
For The District OF Delaware

United States OF America

V.

Ronald G. Johnson #04431-015

Address

Federal Detention Center

P.O. Box 562

Philadelphia, Pennsylvania 19106

Criminal Action No. 05-29-K.A.J.

Dear: Clerk

Please immediately notify the District Court, Honorable Kent A. Jordan that I have maxed-out my sentence possible

Administrative Notice

The Defendant Has Maxed-out And Served Over The Maximum Sentence For This Grade C Technical Violation

1.) "Statement OF The Facts"

a.) The Defendant has been incarcerated since May, 2005 for this Grade C Technical Violation. It's now October, 2006 17 months has passed. The Sentence Guideline For a Grade C Technical Violation with maximum Criminal History Category VI carries 8-14 months maximum applicable Sentence.

2.) 18 USCS 7B1.1

- a.) 7B1.1 Classification of Violation (Policy Statement)
- b.) 7B1.1(a)(3)(B) Grade C Violation (a violation of any condition of Supervision)
- c.) 7B1.4 Term of Imprisonment (Policy Statement)

## " Revocation Sentencing Table "

d) (a range of imprisonment applicable upon revocation is set forth in the following table see: Revocation Table Grade C : Criminal History Category VI 8-14 months applicable sentence)

## " Proper Sentence Range "

e) Sentencing at the top of the range is not applicable Pursuant to Title 18 USC 3553(a)(1)(2)(4). The Technical Violation here consist of Defendant being drunk in bed 12:00 midnight the fact that the Defendant was drunk was discovered by a Fourth Amendment Violation, Illegal Search and Seizure And Defendant's Stomach being pumped against his will. Further the evidence at the Violation of Probation Hearing show the Defendant got drunk because of Serious Mental Stress and to make him unable to get in any trouble he might of got in had he been sober while going thru serious problems in life (that day). (See: Defense made at Hearing of lesser of the two evils and incompetency and insane defense.) Defendant's mother was dying and died while he has been in custody for this simple, minor, lowest Violation. Defendant Future wife went insane this same night, And officers sought to blame defendant of Serious Felony Charges and did charge him, had the Defendant been sober enough to Commit the offense he most likely would of been convicted of the accuse Serious Felony Charges of the officers. Which illegal arrest of these same officer sparked the Violation of Probation Revocation Proceeding. When it was seen there was no chance of obtaining a conviction or Violation of Probation Revocation for the charge over a year later it was change to say I was drunk.

## " Certificate of Service (And) Oath And Affidavit "

I Declare under penalty of perjury that the foregoing is true and correct (And) The U.S. Probation Office and U.S. Attorney's Office Shannon Tree Hanson was served a true and full copy on October 16, 2006 signed [Signature]